REMARKS

The Applicant wishes to thank the Examiner for his analysis of the pending

claims and also for his time spent during the phone conversation of May 20, 2008.

Claims 1, 2, 4-41, 46, 47, 49-86, and 91-93 are pending in the application and all stand

rejected.

The final office action of January 29, 2008 rejects the pending claims as

unpatentable under 35 U.S.C 103(a) over U.S. Patent 6,556,974 to D'Alessandro in view

of U.S. Patent No. 6,085,201 to Tso.

These rejections and proposed amendments were discussed between Examiner

Romain Jeanty and Applicant's undersigned representative, Jakub Michna, on May 20,

2008. During the telephone conversation, the Applicant proposed amendments to the

claims that clarified their scope. Examiner Jeanty indicated that the proposed

amendments would help distinguish the claims from the currently cited prior art. Also,

Examiner Jeanty asked the Applicant to file a Request for Continued Examination along

with the amendments. The Applicant has incorporated many of the amendments

discussed during the telephone conversation into the claims and has included the

following remarks along with the Request for Continued Examination.

Claim 1 is directed to a computer implemented method for submitting business

improvement ideas. The method requires the presentation of a series of information

gathering templates to a user. At least one of the templates presented to the user is

selected based on the type of suggestion characterized by the user. Once the user enters

his submission into the templates, the network routing of the submission to business

management is determined based upon the user's entries.

The Examiner's rejection of the claims fails for at least three reasons. First, the

cited art does not teach "network routing of data from the structured response to business

management based upon entries of the response," as required by the claim 1. The claim,

therefore, requires that *the routing of the suggestion depend on the content of the*

suggestion. The Applicant's responses of November 2, 2007 and April 10, 2008 makes

this distinction clear with respect to D'Alessandro. However, in the Advisory Action of

May 2, 2008, the Examiner argues that D'Alessandro reference teaches this limitation

because a user can send a survey response while on a flight and thus, routes data over a

network. *See col. 3, lines 18-21*. Although D'Alessandro may disclose routing survey

data over a network, it does not disclose routing data "based upon entries of the

response," as required by claim 1. Instead, D'Alessandro's teachings are far less

sophisticated, D'Alessandro simply communicates survey data "back to the

organization." *See Col 5, line 65 – col. 6, line 2; Fig. 1*. Therefore, D'Alessandro is

distinguishable from claim 1 because it does not disclose or suggest network routing of

data to business management based upon entries of the response.

Tso, the secondary reference cited against the claims, does not solve

D'Alessandro's deficiency. Tso teaches a template engine that generates a context

sensitive text message corresponding to a received input text string. *See abstract*. Based

on an input text string received by the user, the system of Tso selects one or more

template messages that are contextually appropriate as a response to the input string. *See*

abstract. The user can pick one of the selected templates and send it as a responsive text

message. *See abstract.* Tso does not disclose or contemplate routing of data to business management based upon a user's entries. Thus, the present invention is distinguishable from the combination of D'Alessandro and Tso for at least the reason that the cited references do not disclose routing ideas to management based upon a user's entries.

The second reason why claim 1 is distinguishable from the cited prior art is because the prior art does not teach presenting templates to the user based upon the type of suggestion characterized by the user. For example, if the user indicates that the idea will have financial consequences, then the processor provides a financial information template to the user for entering financial information. *See specification at page 12, lines 10-11.* D'Alessandro does not disclose this element of claim 1 because, in D'Alessandro, the survey system uses a predetermined set of questions. *Col. 3, line 31-33.* Also, Tso does not teach presenting data entry templates to the user based upon the type of suggestion characterized by the user because Tso discloses "generating responsive text messages," not data entry templates. *Abstract; see also col. 6, lines 16-24 and col. 7, lines 48-52.* Thus, the Examiner's obviousness rejection fails because neither D'Alessandro nor Tso disclose presenting templates to the user based upon the type of suggestion characterized by the user, as required by claim 1.

The third reason why claim 1 is distinguishable over the cited art is because the D'Alessandro reference teaches away from its combination with Tso. D'Alessandro teaches an automated employee survey system. *Col. 2, lines 60-64.* The purpose of the survey system is to measure a predetermined set of business performance criteria. *Id.* The performance criteria are measured using a predetermined set of questions. *Col. 3, line 31-33.* A person of ordinary skill in the art would not modify D'Alessandro survey

system with the customized templates of Tso because, to do so, would render

D'Alessandro's survey system unsatisfactory. As explained by the American Statistical

Association's Pamphlet entitled: "What is a Survey," a survey asks multiple individuals

standardized questions in the same way:

> Information is collected by means of standardized procedures so that every
> individual is asked the same questions in more or less the same way.

FRITZ SCHEUREN, WHAT IS A SURVEY, 9 (American Statistics Association) (2004). If the

survey system of D'Alessandro chose survey questions based on an individuals previous

responses, as required by claim 1, then the survey would no longer ask individuals "the

same questions in more or less the same way." Thus, the survey would no longer be

standardized, bias would be introduced into the system, and business performance criteria

could no longer be properly ascertained. Therefore, D'Alessandro teaches away from its

combination with Tso because their combination would render D'Alessandro

unsatisfactory.

As explained above, independent claim 1 is patentable over the combination of

D'Alessandro and Tso. Independent claim 46 defines a product with similar limitations

and, thus, is also patentable over the D'Alessandro and Tso combination. Independent

claim 91 is also allowable over D'Alessandro and Tso because it includes the routing

element of claim 1. Claims 2, 4-41, 47, 49-86, 92, and 93 depend from one of the

allowable independent claims and, thus, are allowable for the same reasons.

The Applicant believes that all of the claim rejections have been addressed and

that the application is now in condition for allowance. Reconsideration of the claims and

issuance of a notice of allowance are respectfully requested. If any matter arises which

may expedite issuance of a notice of allowance, the Examiner is requested to call the

undersigned, at the telephone number given below. It is believed that a fee for a two

month extension of time is necessary for proper consideration of this response. However,

if any additional fees are required for the timely consideration of this application, please

charge deposit account number 19-4972.

Respectfully submitted,

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ADDENDUM